THE HON'BLE MR JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION NO.15620 of 1998

DATED: 19.06.2007

Between:

Appari Venkata Rao S/o. Subbanna
R/o. Qr.No. 253, 'B' Colony, V.T.P.S.,
Ibrahimpatnam, Vijayawada, Krishna Dist.

..... PETITIONER

AND

A.P.S.E.Board, rep. by its Secretary,
Vidyut Soudha, Somajiguda, Hyderabad and another..

.....RESPONDENTS

THE HON'BLE MR JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No.15620 of 1998

ORDER:

This writ petition has been instituted with the following prayer.

"To issue an appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus directing the respondents herein to regularize the appointment in the category of Junior Plant Attendant and Mazdoors depending upon the qualifications and eligibility of the petitioner either in Vijayawada Thermal Power Station (VTPS) or in any service of the A.P.S.E. Board, immediately as per B.P.Ms.No.37, dated 18.5.1997 and B.P.Ms.No.260, dated 19.12.1997 by declaring the action of the respondents in not giving regular appointments to the petitioner herein and in stopping him from service is illegal, arbitrary

and improper.”

However, counter-affidavit has been filed, in which it has been stated that the petitioner never worked in any of the 33 prohibited categories of the VTPS and that he had also not worked with any contractor nor with the A.P.GENCO under any valid agreement of contract regarding any of the prohibited categories of services. Consequently, the scheme announced through B.P.Ms.No.37 dated 18.05.1997 read with B.P.Ms.No.260 dated 19.12.1997 and B.P.Ms.No.272 dated 31.12.1997, framed for absorption of contract labour engaged against 33 prohibited categories in the generating stations of erstwhile APSEB or A.P.GENCO, does not get attracted to the case of the writ petitioner.

In view of the statement made in the counter-affidavit, the writ petition is dismissed, but however, without costs.

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19.06.2007

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